



Community Dispute Resolution Program

ANNUAL REPORT 2002

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2002 At A Glance

Number of centers	24
Range of grant awards	\$32,500–\$351,846
Individuals involved in cases	29,921
Businesses involved in cases	6,000
Number of resolutions	5,187
Average days to disposition	22
Average length of mediation (hours)	1.78
Resolution rate	76%
Agreement compliance rate	93%
Value of volunteer contribution	\$801,000

Community Dispute Resolution Program (CDRP) centers offer mediation as an alternative to traditional adversarial dispute resolution in the courts. In 2002, approximately 11,000 Michigan citizens resolved disputes through the network of 24 CDRP centers located throughout the state.

Mediation is a process in which a trained neutral person helps disputing parties reach a mutually satisfactory resolution. Unlike litigation, where one party wins and one party loses, mediation does not result in a winner and loser; it results in “win/win” solutions. Mediators are volunteers who have completed both a 40-hour training program approved by the State Court Administrative Office (SCAO) and a supervised internship.

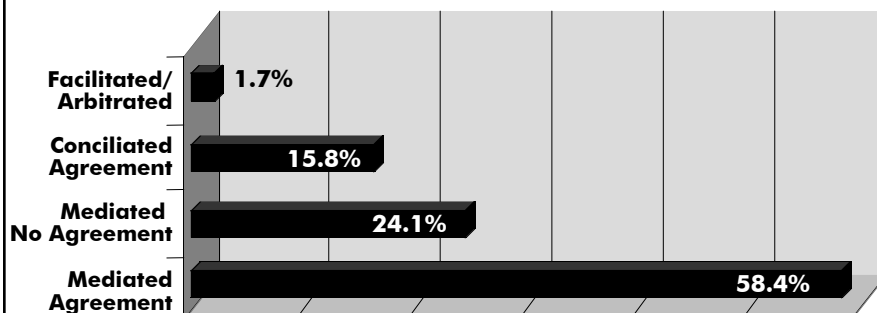
CDRP centers are nonprofit volunteer-based organizations that receive grant funding from the SCAO derived from a court assessment fee of two dollars per civil case filing and a general fund appropriation. In 2002, the SCAO distributed approximately \$1.8 million to the centers in support of their work; grant awards per center ranged from \$32,500 to \$351,846.

Centers resolved 5,187 cases in 2002, a 12% increase over 2001. Centers also provided meeting facilitation services in an additional 120 matters. A resolution rate of 76% was achieved when all parties agreed to use a center’s services. This was accomplished either through the formal mediation process, or informally through correspondence or telephone conversation. Selection of the formal mediation process increased by 16% over the previous year. Although many issues in controversy are non-economic in nature, the combined financial settlements of cases presenting economic issues increased by 100% from 2001 to \$7.7 million.

Mediation also results in the quick resolution of matters. On the average, a case was disposed within 22 days of intake. The average mediation session lasted about one and three quarter hours.

Of the 10,751 cases disposed in 2002, almost 60% were matters in which the disputants learned about the service from a court. Referrals from governmental units—cases in which parties elected to call a center after being told of the services by state agencies, county offices or county employees, city, township or other municipalities’ offices—accounted for the second highest referral source at 9.3% of the cases disposed.

Outcome When All Parties Participate



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Most centers offer an array of specialized services, such as mediation in juvenile victim/offender cases, Equal Employment Opportunity Commission-referred discrimination cases, and U.S. Postal Service workplace disputes. In addition, 8 centers offered mediation of child protection and permanency planning matters. The Permanency Planning Mediation Program (PPMP) was designed to test whether mediation could reduce the number of contested hearings, increase compliance with parent service plans, and expedite the permanent placement of children. In 2002, 127 child protection cases were mediated and 2 were conciliated (informally resolved). An evaluation of this program began in 2002 and will be completed in 2003.

The Michigan Department of Education awarded continued financial support in 2002 for the Michigan Special Education Mediation Program. This program provides educational seminars for parents of special education students and school district staff as well as

Dispute Type	
Breach of Contract	20.0%
Consumer/Merchant	17.8%
Landlord/Tenant	13.9%
Property	13.0%
Professional/Client	7.5%
Other: Domestic Relations, Employment, Neighborhood . . .	27.8%

direct special education mediation and facilitation services. In the 2001–2002 program year, a total of 28 mediations, 3 conciliations and 3 facilitated Individualized Educational Program meetings were conducted.

CDRP also remained certified by the U.S. Department of Agriculture to provide mediation in disputes between farmers and USDA agencies, such as the Farm Service Agency, Natural Resources Conservation Service and Rural Development. Disputes reaching mediation typically include lender/creditor issues, crop insurance matters, or program compliance issues. Through the Michigan Agricultural Mediation Program, 22 mediations and 2 conciliations were conducted in the 2001–2002 program year.

Other services increasingly requested and available through centers include: mediation of post-judgment domestic relations issues; resolution of non-violent neighborhood-type disputes (where persons have sought personal protection orders from circuit courts); meeting facilitation; mediation training; establishing school violence prevention and student peer mediation programs; and public policy meeting facilitation. Centers also provide a wide variety of conflict management workshops tailored to meet the needs of their constituents and serve as a referral source to other service providers.

Volunteerism remains a defining aspect of the CDRP. Volunteers serve as mediators, trainers, outreach workers, administrators, workshop facilitators, and office assistants at many centers. Approximately 19,050 hours of service were contributed by volunteers in 2002. In market value

equivalents, this represents a \$801,000 contribution. Centers also receive a number of donated goods and services such as rent, photocopying services, accounting services and purchase discounts. The market value of these goods and services totaled almost \$135,000.

Referral Sources	
Court	59.2%
Governmental Unit	9.3%
Legal Organization, Prosecutor, Attorney, Police	4.6%
Advertising/Outreach	11.9%
Self-referrals	6.3%
Other: Friend, Business, School, Social Service Org	8.7%

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Key Program Gains & Challenges

Complementing their state funds, centers raised an additional \$840,000 in cash match. While this is an 11% increase over 2001 levels, it is expected to decline precipitously in 2003 as the overall economic downturn continues. At the beginning of 2003, in the face of expected loss of state general fund appropriations, the Supreme Court proposed an increase in court filing fees to in part offset this loss.

Centers are reporting working more closely with the family division of the local circuit courts to assess how mediation might help families solve problems. Mediation is being used in post-judgment domestic relations cases to renegotiate custody and parenting time issues, for example. Mediation has also been successfully used to resolve contested guardianship matters. Parties seeking Personal Protection

Orders in matters which do not meet statutory thresholds for issuing orders in some cases are being referred to mediation at a growing number of centers.

While this report outlines impressive gains in the statewide program, centers have capacity to provide mediation in more cases and in more complex matters than current levels demonstrate. In the year ahead, SCAO will work with centers to identify how courts may better utilize centers,

A variety of brochures and videos are available free from the SCAO. Brochures describe the general mediation process and its application in special education, agricultural, Americans with Disabilities Act mediation. Several are available in Spanish translation. The videos present an introduction to the mediation process and are followed by segments specific to either special education mediation or agricultural mediation. An order form for these and additional materials appears on the program website.

and the Dispute Resolution Association of Michigan, an independent organization of mediation centers, will be contacting many state agencies to determine how complaints brought to the state may be resolved at the local

level. Television and radio public service announcements will be aired as well.

With the implementation of new ADR court rules well under way, the SCAO plans to evaluate the impact of the rules on courts, and more particularly assess parties' cost and time savings, along with their satisfaction of mediation as provided by private mediators and CDRP centers. Already, an evaluation of the Permanency Planning Mediation Program is under way, testing whether mediation results in a quicker permanent placement of children than the traditional court process. In the special education context, an evaluation has been proposed to assess the perception of mediation among constituents. While the benefits of mediation have been documented in other states' court studies, the SCAO will begin assessing its value in providing an alternative to traditional adversarial litigation in Michigan in 2003–2004.

To contact the Community Dispute Resolution Program center nearest you
call 1-800-8RESOLVE (1-800-873-7658)

For additional information about the statewide Community Dispute Resolution Program or this report please contact:



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State Court Administrative Office
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Program information is also available at: <http://courts.michigan.gov/scao/dispute/odr.htm>

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